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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,174	08/27/2001	Lane W. Lee	M-12038 US	5308

7590 08/07/2008
MACPHERSON KWOK CHEN & HEID LLP
1762 TECHNOLOGY DRIVE
SUITE 226
SAN JOSE, CA 95110

EXAMINER

AUGUSTIN, EVENS J

ART UNIT	PAPER NUMBER
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3621

MAIL DATE	DELIVERY MODE
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08/07/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ACTION

1. The USPTO's Board of Patent Appeals and Interferences ("Board") returned this application to the Examiner. See "Review Form/Checklist for Appeal Brief or Examiner Answer" mailed on June 9, 2008 ("June 2008 Return").
2. In the June 2008 Return, the Board stated:
 - (1) The status of claims statement is incorrect. The appeal brief filed 03/12/08, states claims 4-23 were canceled; the canceled claims should read 4-8, 10-14, 16, 19-20 and 23;
3. In accordance with (1) above, the "Status of Claim" section in the Examiner's Answer mailed on May 29, 2008 has been amended to:
 - i. (3) Status of Claims**
The status of claims statement is incorrect. The appeal brief filed on 03/12/08, states claims 4-23 were canceled; the canceled claims should read 4-8, 10-14, 16, 19-20 and 23;
4. It is the Examiner's position that no further action is necessary.

/Evens J. Augustin/
Art Unit 3621
August 6, 2008